

THE WOODLANDS TOWNSHIP

BOARD OF DIRECTORS

WORKSHOP MEETING

NOVEMBER 11, 2010

MINUTES

THE STATE OF TEXAS §

COUNTIES OF HARRIS & MONTGOMERY §

The Board of Directors of The Woodlands Township met in regular session, open to the public, on November 11, 2010, posted to begin at 7:30 a.m. The workshop session was held in a meeting room at the office of The Woodlands Township, Board Chambers, 10001 Woodloch Forest Drive, Suite 600, The Woodlands, Texas, within the boundaries of The Woodlands Township.

DIRECTORS PRESENT: Chairman Tough, Vice Chairman Lloyd Matthews, Secretary Claude Hunter, Treasurer Ed Robb, Director Nelda Blair, Director Tom Campbell and Director Peggy Hausman

DIRECTORS ABSENT: None

STAFF/ADVISORS: Don Norrell, President/General Manager, John Powers, Assistant General Manager Community Services, Monique Sharp, Assistant General Manager of Finance & Administration, Fire Chief Alan Benson, Susan Welbes, Director of Human Resources, Nick Wolda, Director of Community Relations/CVB President, Miles McKinney, Legislative Affairs & Transportation Manager, Karen Dempsey, Management Analyst, Mary Connell, Manager of Community Relations, and Mike Page, Legal Counsel

CALL TO ORDER:

Chairman Tough called the workshop session to order at 7:30 a.m. and declared that notice of this meeting was posted 72 hours in advance at the Courthouses of Montgomery and Harris Counties and inside the boundaries of The Woodlands Township at the office building located at 10001 Woodloch Forest Drive, Suite 600, The Woodlands, Texas. As there was a quorum of members present, the Board proceeded to conduct business regarding the following matters.

CONSIDER AND ACT UPON ADOPTION OF MEETING AGENDA:

Chairman Tough called for a motion and second to adopt the agenda.

MOTION: Motion by Secretary Hunter; second by Vice Chairman Matthews

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VOTE: **Ayes:** Chairman Tough
 Vice Chairman Matthews
 Secretary Hunter
 Treasurer Robb
 Director Blair
 Director Campbell
 Director Hausman

Nays: None

Absent: None

ACTION: Motion passed unanimously.

RECOGNIZE PUBLIC OFFICIALS:

Chairman Tough recognized all Veterans in attendance and thanked them for their service.

PUBLIC COMMENT:

- Everett Ison-Concerns regarding trial holiday trolley service to Panther Creek; Veterans Day recognition

The Public Comment Roster is attached hereto as Exhibit "A".

RECEIVE AND CONSIDER A PROCLAMATION IN SUPPORT OF VETERANS DAY:

Chairman Tough read a proclamation in honor of the service performed by veterans of all United States armed forces. Following the reading, it was announced that the Township will honor veterans in a public gathering at 1:30 p.m. at the flag pole located at the Service Center building. A motion and second was then made to approve the proclamation.

MOTION: Motion by Secretary Hunter; second by Director Campbell

VOTE: **Ayes:** Chairman Tough
 Vice Chairman Matthews
 Secretary Hunter
 Treasurer Robb
 Director Blair
 Director Campbell
 Director Hausman

Nays: None

Absent: None

ACTION: Motion passed unanimously.

The Proclamation is attached hereto as Exhibit "B".

RECEIVE AND CONSIDER A PROCLAMATION IN SUPPORT OF "PANCREATIC CANCER AWARENESS MONTH" (TO BE PRESENTED AT NEXT WEEK'S BOARD OF DIRECTORS MEETING):

Chairman Tough informed the Board that this item will be taken up at the November 17, 2010 Regular Board meeting.

RECEIVE AND CONSIDER THE POTENTIAL CONSENT AGENDA:

(This agenda consists of non-controversial or "housekeeping" items required by law that will be placed on the Consent Agenda at the next Board Meeting and may be voted on with one motion. Items may be moved from the Consent Agenda to the Regular Agenda by any Board Member making such request.)

Receive and consider approval of the minutes of the October 21, 2010 Workshop, October 27, 2010 Regular Meeting and October 28, 2010 Planning Session of the Board of Directors of The Woodlands Township;

Chairman Tough asked the Board to review the minutes in preparation of the November 17, 2010 Regular Board of Directors' meeting. Director Campbell noted that a voting matrix was missing for the October 28, 2010 Planning Session. This item, with the inclusion of a voting matrix for the October 28, 2010 Planning Session, will be brought forward to the November 17, 2010 Regular Board meeting for approval under the Consent Agenda.

Receive and consider an award of bid for pool chemicals;

John Powers provided a summary of this item with a recommendation that the Board award Progressive Commercial Aquatics, Inc. the bid to provide pool chemicals for the Township's facilities for 2011 and authorize the President/General Manager to execute a contract for these services. Discussion followed. This item will be brought forward to the November 17, 2010 Regular Board meeting for approval under the Consent Agenda.

Receive and consider an award of bid for fuel;

John Powers provided a summary of this item with a recommendation that the Board award the bid for fuel to Sundance Fuels and authorize the President/General Manager to execute a contract for these services. Discussion followed. This item will be brought forward to the November 17, 2010 Regular Board meeting for approval under the Consent Agenda.

Receive and consider award of bids for clearing and grading; irrigation and sod; lighting; and parking lot for the Alden Bridge Sports Park expansion;

John Powers provided a summary of this item with a recommendation that the Board award bids for Project A, clearing and grading, to Al Earth in the amount of \$75,196; for Projects B and D, irrigation and sod and parking lot, to BIO Landscape in the amount of \$262,619; and Project C, sport fields lights, to LiteCo Electric in the amount of \$149,826 and authorize the President/General Manager to execute contracts for these services. Discussion followed. **PLACE ON NOVEMBER 17, 2010 REGULAR AGENDA**

Receive and consider an encroachment agreement with ConocoPhillips regarding Alden Bridge Sports Park expansion;

John Powers provided a summary of this item with a recommendation that the Board approve an encroachment agreement with ConocoPhillips and authorize the President/General Manager to execute said agreement. Discussion followed. This item will be brought forward to the November 17, 2010 Regular Board meeting for approval under the Consent Agenda.

Receive and consider a Park Use Agreement with Interfaith of The Woodlands for a vegetable and fruit garden at Alden Bridge Sports Park;

John Powers presented a summary of this item with a recommendation that the Board approve the Park Use Agreement with Interfaith of The Woodlands for a fruit and vegetable garden at Alden Bridge Sports Park and authorize the President/General Manager to execute a contract for these services. Discussion followed. **PLACE ON NOVEMBER 17, 2010 REGULAR AGENDA**

Receive and consider conveyance of Special Warranty Deed for Creekside Park, Section 14 Restricted Open Space Reserve J, Jagged Ridge Park;

John Powers presented a summary of this item with a recommendation that the Board accept the conveyance by Special Warranty Deed Restricted Open Space Reserve J, also known as Jagged Ridge Park, the Village of Creekside Park, Section 14, from The Woodlands Land Development Company, L.P. Discussion followed. This item will be brought forward to the November 17, 2010 Regular Board meeting for approval under the Consent Agenda.

Receive and consider approval of an addition to the park and pathway maintenance contract with BIO Landscape & Maintenance, Inc. for Jagged Ridge Park;

John Powers presented a summary of this item with a recommendation that the Board approve the addition to the Park and Pathway Maintenance Agreement with BIO Landscape & Maintenance, Inc. for Jagged Ridge Park in the amount of \$5,333 per year and authorize the President/General Manager to execute the agreement. Discussion followed. This item will be brought forward to the November 17, 2010 Regular Board meeting for approval under the Consent Agenda.

Receive and consider conveyance of pathway easements in the Village of Sterling Ridge Section 12, Restricted Reserve A and Section 8, Restricted Reserve D;

John Powers presented a summary of this item with a recommendation that the Board accept the conveyance of Pathway Easements from The Woodlands Land Development Company, L.P. for easements in the Village of Sterling Ridge, Section 12, Reserve A and Section 8, Reserve D and authorize the President/General Manager to execute agreements. Discussion followed. This item will be brought forward to the November 17, 2010 Regular Board meeting for approval under the Consent Agenda.

Receive and consider a Memorandum of Understanding with Tomball Independent School District;

John Powers presented a summary of this item with a recommendation that the Board approve the Memorandum of Understanding (MOU) with the Tomball Independent School District and authorize the President/General Manager to execute the MOU. Discussion followed. This item will be brought forward to the November 17, 2010 Regular Board meeting for approval under the Consent Agenda.

Receive and consider a request from the Drury Inn to waive a late fee on local hotel occupancy tax deposit for the month of October;

Monique Sharp presented a summary of this item with a recommendation that the Board determine whether to grant a waiver of the late fee as requested by Drury Inn. Discussion followed. **PLACE ON NOVEMBER 17, 2010 REGULAR AGENDA**

BRIEFINGS:

Receive a report on 2010-2011 Convention Center Activities;

Fred Domenick, General Manager of The Woodlands Marriot Hotel & Convention Center, made a PowerPoint presentation that highlighted hotel and catering revenues and holiday bookings/projections.

Additionally, Mr. Domenick provided an update on the hotel and convention center renovation projects. A 2011 forecast was also provided.

A copy of the PowerPoint presentation is attached hereto as Exhibit "C".

Receive a quarterly update from The Woodlands Convention and Visitors Bureau;

Nick Wolda made a PowerPoint presentation to the Board that included updates on services, visitor activity, special event attendance, and destination marketing efforts during the 3rd quarter. A financial report was also made for the nine months ended September 30, 2010.

Copies of the Executive Summary and financial report are attached hereto as Exhibits "D" and "E", respectively.

POTENTIAL REGULAR AGENDA:

This agenda consists of items that will be placed on the Regular Agenda at the next Board of Directors' Meeting.

Receive and consider approval of policies related to the election of the Board of Directors for The Woodlands Township;

Mike Page was called on to present this item. Mr. Page reviewed a draft resolution containing proposed statements of policy. Board discussion followed. This item will be brought forward to the November 17, 2010 Regular Board meeting for consideration and action.

Receive and consider establishment of an initial date for candidate filing for The Woodlands Township Board of Directors election and authorize the President/General Manager to post notice of the candidate application filing period;

Mike Page presented a summary of this item with a recommendation that the Board establish the initial date of candidate filing for The Woodlands Township Board of Directors Election and authorize the President for The Woodlands Township to post the required notice of candidate application filing period. Discussion followed. This item will be brought forward to the November 17, 2010 Regular Board meeting for consideration and action.

Receive and consider purchase of Specialized Equipment, Automated License Plate Recognition (ALPR) and development of a K-9 Unit for Montgomery County Sheriff's Office;

Captain Andy Eason presented a summary of this item using a PowerPoint presentation. It was recommended that the Board authorize the purchase of the ALPR Unit and the K-9 Unit for the Montgomery County Sheriff's Office. Discussion followed. This item will be brought forward to the November 17, 2010 Regular Board meeting for consideration and action.

Receive and consider extending the Memorandum of Understanding (MOU) with the City of Shenandoah;

John Powers presented a summary of this item with a recommendation that the Board approve the extension of the MOU with the City of Shenandoah for one year and authorize the President/General Manager execute the MOU (technically an amendment to the MOU). Discussion followed. **PLACE ON NOVEMBER 17, 2010 CONSENT AGENDA**

Receive and consider an amendment to the Investment Policy of The Woodlands Township and adoption of a resolution in connection therewith;

Monique Sharp presented a summary of this item. Proposed changes to the resolution were also discussed. Mike Page also made suggestions for the Board's consideration. Discussion followed.

PLACE ON NOVEMBER 17, 2010 CONSENT AGENDA

Receive and consider a Project Management Agreement with Damon Palermo, Managing Principal of PalermoBarr Commercial Real Estate Advisors;

Don Norrell was called on to present this item. Mr. Norrell informed the Board that an agreement is not ready at this point in time. Discussion followed. This item will be brought forward to the November 17, 2010 Regular Board meeting for consideration and action.

Receive and consider a proposal to provide architectural design services for the remodeling of the 9012 New Trails office building;

Don Norrell presented a summary of this item and informed the Board that Requests for Proposals were currently out and due back on November 16, 2010. Discussion followed. This item will be brought forward to the November 17, 2010 Regular Board meeting for consideration and action.

Receive and consider approval of appointments to the Booking & Blocking Committee of The Woodlands Township;

Nick Wolda presented a summary of this item with a recommendation that the Board reappoint both Nick Wolda of The Woodlands Township/The Woodlands CVB for a three year term and Sheron Jones of The Woodlands Waterway Marriott Hotel & Convention Center for a one year term on the Booking and Blocking Committee. Discussion followed. **PLACE ON NOVEMBER 17, 2010 CONSENT AGENDA**

Consider and discuss the established guidelines for participating in public meetings;

Karen Dempsey provided background information on this item and reviewed the current established guidelines for participating in public meetings. Discussion followed. Chairman Tough recommended that staff bring forth three public comment options for the Board to consider and act upon at the November 17, 2010 Regular Board meeting.

Receive and consider a request from Director Robb regarding consideration of a Sister City program;

Karen Dempsey presented a summary of this item and informed the Board that there was no interest expressed from any of the entities contacted regarding their interest in spearheading an effort to develop a Sister City program. Discussion followed. **REMOVE FROM NOVEMBER 17, 2010 REGULAR AGENDA**

Consider and act upon a "holiday trial" program with The District for trolley service and a budget amendment in connection therewith;

Miles McKinney presented a summary of this item and informed the Board that Regency Management, owner and manager of Panther Creek Shopping Center, had not committed to the trial program due to parking concerns. Discussion followed. This item will be brought forward to the November 17, 2010 Regular Board meeting for consideration and action.

Discuss cancellation of the December 9, 2010 Board of Directors regularly scheduled workshop and the December 15, 2010 regularly scheduled Board meeting of The Woodlands Township;

Don Norrell presented a summary of this item with a recommendation that the Board cancel meetings in December. Mr. Norrell informed Board members that they should hold December 9, 2010 open on their calendars just in case there would be a need to hold a meeting. Discussion followed. This item will be brought forward to the November 17, 2010 Regular Board meeting for consideration and action.

CLOSED MEETING (if applicable):

Recess at 10:40 a.m. to Executive Session to discuss matters relating to real property pursuant to §551.072, Texas Government Code; deliberation of economic development negotiations pursuant to §551.087, Texas Government Code; discuss personnel matters pursuant to §551.074, Texas Government Code; and to consult with The Woodlands Township's attorney concerning pending litigation pursuant to §551.071, Texas Government Code;

Reconvene in Public Session at 11:27 a.m.;

Chairman Tough announced that it would not be necessary to take action at this time on matters discussed in Executive Session.

ADMINISTRATIVE REPORTS:

Community Services: presented by John Powers

- Received three applications for mobile vending permits
- 3R Bazaar to take place Saturday, November 13, 2010
- "Watch Talk Wednesday" programs postponed in November and December; program will resume in January 2011
- Comcast will be enhancing their network to deliver Xfinity all-digital services to customers in The Woodlands
- New traffic signal under construction at Gosling and Creekside Forest Drive
- Township employees kicking-off United Way campaign
- Township offices will be closed for Thanksgiving on November 25 and 26
- Jagged Edge Park in the Village of Creekside Park is 99% complete

Community Policing: no report

The Woodlands Fire Department: no report

The Woodlands Convention & Visitors Bureau: presented by Nick Wolda

- Provided a handout regarding the holiday season

DISCUSS FUTURE AGENDA/ANNOUNCEMENTS:

Consideration of items to be placed on the agenda for next month's meeting;

- Director Campbell suggested that the Township use a Town Hall meeting to begin educating residents on governance options.

Board announcements; and

There were no announcements.

Adjourn

As there was no further business to discuss, Chairman Tough called for a motion and second to adjourn the meeting at 11:31 a.m.

MOTION: Motion by Treasurer Robb; second by Director Campbell

VOTE: **Ayes:** Chairman Tough
 Vice Chairman Matthews
 Secretary Hunter
 Treasurer Robb
 Director Blair
 Director Campbell
 Director Hausman

Nays: None

Absent: None

ACTION: Motion passed unanimously.





Claude Hunter
Secretary, Board of Directors

EXHIBIT OMISSIONS*

EXHIBIT "A"

EXHIBIT "B"

EXHIBIT "C"

EXHIBIT "D"

EXHIBIT "E"

***To view Exhibits, please contact the Records Management Analyst at 281-210-3800.**